

Notice of Allowability

Application No.

09/673,786

Examiner

Kimberly D. Nguyen

Applicant(s)

FAHRAEUS, CHRISTER

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 26 March 2003.
2. ☒ The allowed claim(s) is/are 1-3 and 8-16.
3. ☒ The drawings filed on 26 March 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION

Amendment

1. Acknowledgement is made of Amendment filed 26 March 2003.

Allowable Subject Matter

2. Claims 1-3 and 8-16 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach a device for recording information by means of imaging with the aid of at least one light-sensitive sensor with a two-dimensional sensor surface, the device comprising a first mode, in which a plurality of images of a surface are recorded by the sensor through the adjustable lens means at a first focus position which provides projections of images of the surface onto the sensor when the device is directly adjacent the surface more accurately than at a second focus position, each image of the plurality of images containing content which partially overlaps content of another image of the plurality of images, such that the overlapping contents of the images are utilized by the device to put together the images into a composite image.

Sohaei et al. (US 5,430,558; hereinafter "Sohaei") teaches a hand-held device for recording information by means of imaging with the aid of at least one optical sensor, wherein the device is adapted to abut against and be passed over a surface for imaging the same by means of a plurality of images; and stores information in character coded format which serves as the first mode.

Kumagai et al. (US 6,435,413; hereinafter "Kumagai") teaches an optical reader having a single-scanning mode (which serves as the first mode), wherein in a single-scanning mode the

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reader touches the surface bearing the barcode during the code reading process; and a multi-scanning mode wherein in the multi-scanning mode the reader reads the barcode at a distance. However, Kumagai fails to teach that the first-mode/single-scanning-mode having a plurality of images of a surface are recorded by the sensor through the adjustable lens, wherein each image of the plurality of images containing content which partially overlaps content of another image of the plurality of images, such that the overlapping contents of the images are utilized by the device to put together the images into a composite image.

Dvorkis et al. (US 5,369,262; hereinafter "Dvorkis") teaches an electronic stylus type optical reader having contact and non-contact reading modes.

However, Sohaei, Kumagai and Dvorkis, taken alone or in combination thereof, fails to teach that the first-mode/single-scanning-mode having a plurality of images of a surface are recorded by the sensor through the adjustable lens, wherein each image of the plurality of images containing content which partially overlaps content of another image of the plurality of images, such that the overlapping contents of the images are utilized by the device to put together the images into a composite image.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 703-305-1798. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-8792.


KDN
23 October 2003